

Magistrate Judge Arnold

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CAMERON B. EVANS,

Defendant.

NO.: 3:05 CR- 5597

STIPULATED ORDER ON MOTION TO
CONTINUE TRIAL DATE

Noted for: December 9, 2005

This Court has considered the Defendant's Motion to Continue Trial. Trial in this case currently is scheduled for December 12, 2005. The Court finds that Mr. Evans is currently unavailable to meet with the US Probation Department due to his temporary military assignment out of the area. The Defendant must meet with Probation to be evaluated for his request for a deferred prosecution. Therefore, the Court finds, pursuant to 18 U.S.C. § 3161(h)(b)(iv), that a continuance is necessary.

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Page 1

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1 The Court also finds that the government agrees with defendant's request for additional time,
2 and is not prejudiced thereby. This Court also finds that the defendant agrees with defense counsel's
3 assertions and also wishes to delay the trial.

4 The Court further finds, pursuant to 18 U.S.C. § 3161(h)(8)(a) that the ends of justice will be
5 served by continuing the trial in this case, in order to allow the defendant additional time to seek
6 evidence on his behalf in this case, and for both the defense and the government to prepare
7 effectively for trial on the existing charges, outweigh the interest of the public and of the defendant
8 in a more speedy trial.

9 The Court further

10
11 IT IS THEREFORE ORDERED that the trial in this case shall be continued until January 30,
12 2006, and that the period of time from the date of this order up to and including January 30, 2006,
13 shall be excludable time under 18 U.S.C. § 3161(h)(8)(a).

14 DATED this 8TH day of December, 2005.

15
16 /s/ J. Kelley Arnold

17 Hon. J. KELLEY ARNOLD

18 United States District Court Magistrate Judge

19 Presented by:

20 s/ Philip E. Thornton

21 WSBA No. 20077

22 Philip E. Thornton, Attorney for Defendant

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28 Agreed and Approved By:

29 s/ Glenn Templeton [telephonic approval]

30 Glenn Templeton, Magistrate Prosecutor Ft. Lewis

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31 STIPULATED ORDER ON MOTION TO
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33 Page 2

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